

CONSENT AGENDA

Motion: To adopt Consent Agenda items A through D as follows:

- A. Approve the minutes of the November 5, 2012, and November 20, 2012, regular Commission meetings and the October 8, 2012, October 30 & 31, 2012, and November 9, 2012 special Commission meetings.
- B. Voucher and Certification Approval from November 7, 2012 – November 28, 2012, totaling \$5,161,215.67.
- C. Approve the Consent to assignment of Lease from Upper Skagit Indian Tribe to Blaine Seafoods, Inc. for property located at 285 Marine Drive in Blaine, Washington.
- D. Approve a Commercial Lease Agreement between the Port of Bellingham and ABOVE DAWN PLLC, LLC, d/b/a IN8 Family Chiropractic for use of 1,131 square feet at the Harbor Mall, Suite 22, Squalicum Harbor.

Discussion: None.

Motion approved with a 2-0 vote.

REVISED AGENDA:

Commissioner Walker announced that the agenda would be revised to accommodate guests in the audience and that Action Item No. 8 would be moved ahead in the order.

ACTION ITEMS:

8. COMMERCIAL LEASE AGREEMENT FOR BELLINGHAM METAL ARTS GUILD, HARBOR MALL, SQUALICUM

Motion: Approval of a Commercial lease Agreement between the Port of Bellingham and Bellingham Metal Arts Guild for use of 600 square feet at the Harbor Mall, Suite

Discussion: Real Estate Representative Judy Harvey explained that the Bellingham Metal Arts Guild (BMAG) is a newly formed non-profit guild created by a group of artists, students and teachers of the metal arts and further reviewed the terms and conditions of the new Commercial Lease.. Ms. Harvey then introduced Susie Wight, President of the BMAG. Ms. Wight provided the background and types of metals and instruction the BMAG offers and explained that the group is looking forward to locating in the Harbor Mall space.

Motion approved with 2-0 vote.

1. AMENDMENT NO. 2 TO THE PERSONAL SERVICES AGREEMENT WITH ARGUS PACIFIC FOR REGULATED BUILDING MATERIALS SUPPORT AT THE WATERFRONT DISTRICT

Motion: Authorize the Executive Director to execute Amendment No. 2 to the Personal services Agreement (PSA) with Argus Pacific to perform a Regulated Building Materials (RBM) survey and provide consulting services for the Waterfront District project in the amount of \$18,696 for a total authorized PSA amount of \$67,203.

Discussion: Senior Project Engineer Adam Fulton explained that Argus Pacific was selected by the Port in 2009 as the most qualified firm to perform Regulated Building Materials (RBM) surveys on existing structures within the Waterfront District and in 2011, the monitoring of the removal of RBMs from the Bleach Plant dismantling project. Mr. Fulton further explained that the proposed amendment would provide for the assessment / RBM consulting services needed for the buildings/structures remaining at the former GP site: Digester Plant, Chipping Silos, Barking/Chipping Plant, Alcohol Plant, and the Board Mill.

Motion approved with 2-0 vote.

2. AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH ICF INTERNATIONAL FOR THE WATERFRONT DISTRICT DECONSTRUCTION PROJECT

Motion: Authorize the Executive Director to execute Amendment No. 2 to the Professional Services Agreement (PSA) with ICF International to perform historic preservation consulting services for the Waterfront Buildings Deconstruction Project in the amount of \$104,535 plus a contingency of \$5,000 for a total authorized PSA amount of \$150,698.

Discussion: Senior Project Engineer Adam Fulton explained that the Port and City entered into an Interlocal Agreement for the master planning and associated environmental impact assessment of the waterfront property, including 137 acres and multiple structures and facilities acquired in the Georgia Pacific transaction. Mr. Fulton further explained that the proposed amendment with ICF International would provide for the development of a historic preservation and mitigation plan to support permit approval for the proposed dismantling and recycling as well as the identification of any historically valuable artifacts/ materials from the Digester Building, the Chipping Plant and adjacent silos, Alcohol Plant and the Board Mill.

Motion approved with 2-0 vote.

3. AMENDMENT NO. 8 TO THE PROFESSIONAL SERVICES AGREEMENT WITH URS CORPORATION FOR THE COMMERCIAL TERMINAL EXPANSION PROJECT

Motion: Authorize the Executive Director to execute Amendment No. 8 to the Professional Services Agreement (PSA) with URS Corporation to perform construction management services for 2013 on the Airport Commercial Terminal Expansion (ACTE) - Phase Two Project in the amount of \$943,093 for a total authorized PSA of \$5,857,497.

Discussion: Senior Project Engineer Adam Fulton explained that the proposed amendment would provide the 2013 construction support services and the redesign services made necessary by the changes to the ACTE Phase 2 project. Mr. Fulton added that the redesign efforts will be paid by Federal Aviation Administration (FAA) and Transportation Security Administration (TSA) reimbursements. Commissioner Walker directed staff to explore means of informing the travelling public of the on-site construction progress throughout the terminal.

Motion approved with 2-0 vote.

4. AWARD CONTRACT TO RAM CONSTRUCTION FOR THE CHEVRON SUBAREA INTERIM ACTION CLEANUP PROJECT

Motion: Authorize the Executive Director to execute a contract with RAM Construction General Contractors Inc., for the Chevron Subarea Interim Action Cleanup Project, as the lowest responsive and responsible bidder, in the amount of \$229,953.76 and including a 10% contingency of \$23,000 for a total authorized amount of \$252,953.76.

Discussion: Senior Project Engineer John Hergesheimer explained that the proposed contract addresses the scope of work required by the Department of Ecology and will include the removal, transport and disposal of contaminants, placement of a geomembrane liner, dewatering and water treatment and backfill of the excavated area. Mr. Hergesheimer added that 50% of eligible costs associated with the project will be reimbursed by the existing Model Toxic Controls Act (MTCA) grant and the remaining 50% reimbursed through the Port's pre-funded AIG (formerly Chartis) environmental insurance policy.

Motion approved with 2-0 vote.

5. AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH ANCHOR QEA, LLC FOR INTERIM ACTION CONSTRUCTION MANAGEMENT SUPPORT AT THE CENTRAL WATERFRONT SITE

Motion: Authorize the Executive Director to execute Amendment No. 2 to the Professional Services Agreement (PSA) with Anchor QEA, LLC for Interim Action Construction Management Support at the Central Waterfront site for an estimated cost of \$134,800 and a total authorized budget of \$458,930.

Discussion: Environmental Site Project Manager Brian Gouran explained that the proposed amendment with Anchor would provide for ongoing Ecology coordination, Interim Action construction management support, compliance monitoring and sampling and reporting work necessary for the continuation of work at the Central Waterfront cleanup site. Mr. Gouran added that 50% of eligible costs associated with the project will be reimbursed by the existing Model Toxics Control Act (MTCA) grant and the remaining 50% reimbursed through the Port's pre-funded AIG (formerly Chartis) environmental insurance policy.

Motion approved with 2-0 vote.

6. AMENDMENT NO. 5 TO MODEL TOXIC CONTROLS ACT (MTCA) GRANT NO. G0900104 WITH THE DEPARTMENT OF ECOLOGY FOR THE HARRIS AVENUE SHIPYARD SITE

Motion: Authorize the Executive Director to execute Amendment No. 5 to the Harris Avenue Shipyard site grant, G0900104, with the Department of Ecology to increase the State grant share by \$145,000.

Discussion: Environmental Programs Director Mike Stoner explained that the Port entered into an Agreed Order with the Department of Ecology for the Remedial Investigation/

December 4, 2012

Page 5

Feasibility Study (RI/FS) of the Harris Avenue Shipyard Site, with 50% of the eligible costs to be reimbursed to the Port under the Model Toxics Control Act. Mr. Stoner added that the proposed amendment will increase Ecology's funding contribution toward the completion of the RI/FS by \$145,000.

Motion approved with 2-0 vote.

7. AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH BENNETT ENGINEERING, LLC FOR THE AIRPORT WOODWASTE LANDFILL PROJECT

Motion: Authorize the Executive Director to amend the Professional Services Agreement (PSA) with Bennett Engineering, LLC to perform landfill monitoring and reporting services in 2013 for an estimated cost of \$52,054 and total authorized budget of \$153,054.

Discussion: Environmental Site Project Manager Brian Gouran explained that the proposed amendment would address required annual landfill monitoring and reporting through 2013 in accordance with the Post-Closure Permit and the proposed scope of work includes monthly landfill cover inspections, semi-annual groundwater monitoring, and monthly sampling and reporting as required under an NPDES Permit for the on-site leachate management system. Mr. Gouran further explained that 50% of the eligible costs will be covered by the Port's pre-funded AIG (formerly Chartis) environmental insurance policy.

Motion approved with 2-0 vote.

NEW BUSINESS

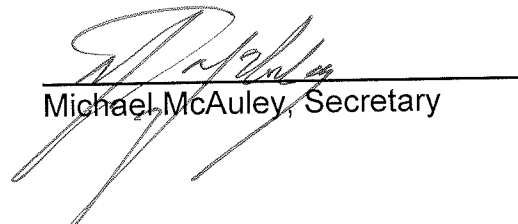
1. There was some discussion regarding the miscellaneous items and debris being stored at the shipping terminal following the March 31, 2012, boathouse fire in the Squalicum marina. Port legal counsel Frank Chmelik agreed that the removal of said items should be feasible after the end of the month/year as inspection of items are no longer being requested by insurance companies.
2. Staff was asked by Commissioner McAuley to explore the possibility of moving the current gravel operation and obtaining a barge terminal facility feasibility study for the BCS peninsula.

ADJOURN

As there was no further business, the meeting was adjourned at 4:15 p.m.



Scott L. Walker, President



Michael McAuley, Secretary